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AMENDMENT TRANSMITTAL LETTER			ATTORNEY DOCKET 1662/52602				
SERIAL NUMBER 03/841,025		FILING DATE April 24, 2001		EXAMINER Evelyn M. Huang		ART UNIT 1625	
INVENTION TITLE ZOLPIDEM HEMITARTRATE				APPLICANT SALYI, et al.			
Commissioner of Patents and Trademarks Washington, DC 20231				<b>RECEIVED</b> AUG 05 2002 TECH CENTER 1600/2900			
Transmitted herewith is: <b>A. Amendment in response to Office Action dated April 30, 2002</b>							
1. The filing fee has been calculated as shown below:							
	CLAIMS AFTER AMENDMENT		MOST CLAIMS PAID FOR	NUMBER EXTRA	RATE (\$)	FEE (\$)	
TOTAL CLAIMS	137	-	123	14	18.00	252.00	
INDEPENDENT CLAIMS	44	-	66	0	84.00	0.00	
MULTIPLE DEPENDENT CLAIM ADDED			0	0		0.00	
					TOTAL	252.00	
If applicant is a small entity under 37 C.F.R. §1.9 and §1.27, then divide total fee by 2, and enter amount here.					Small Entity		
					TOTAL	252.00	
The Commissioner is hereby authorized to charge any fee or credit any overpayment, to Kenyon & Kenyon's <b>Deposit Account No. 11-0600</b> for:  a. Any additional filing fees required under 37 C.F.R. § 1.16. b. Any patent application processing fees under 37 C.F.R. § 1.17.							
Date: July 30, 2002			 W. David Wallace (Reg. No. 42,210)				
KENYON & KENYON 1500 K Street, N.W., Suite 700 Washington, D.C. 20005 (202) 220-4200 -- Telephone (202) 220-4201 -- Facsimile							



Docket No.: 1662/52602

Serial No.: 09/841,025

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8/29/02**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT : SALYI ET AL.  
SERIAL NO. : 09/841,025  
FILING DATE : April 24, 2001  
FOR : ZOLPIDEM HEMITARTRATE  
GROUP ART UNIT : 1625  
EXAMINER : Evelyn M. Huang

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AUG 05 2002

TECH CENTER 1600/2900

**RESPONSE TO ELECTION REQUIREMENT UNDER 35 U.S.C. § 121 AND  
PRELIMINARY AMENDMENT**

Responsive to the Office Action dated April 30, 2002, which set a one-month shortened statutory period of response, the Applicants submit the following election and remarks. Applicants respectfully request a two-month extension of time. A Fee Transmittal is attached. The Office is authorized to charge or debit any underpayment or overpayment to Deposit Account 11-0600.

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**Election and Remarks**

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The Examiner has required Applicants to elect one of nine species pursuant to 35 U.S.C. § 121. Claims 1-9 and 116-121 are said to be generic.

Applicants elect to prosecute those claims that read on the Form D monohydrate species. However, Applicants respectfully request that the Examiner reconsider whether other forms of Form D, such as a solvate, should be considered together with the monohydrate; Applicants note that the Examiner has not identified any species in which a solvate of Form D can be included.

The invention is directed to, *inter alia*, hydrates, solvates and anhydrous forms of zolpidem hemitartrate. Applicants include herewith a preliminary amendment in which the claims are reordered to clarify the relationship between various aspects of the invention. Thus, referring to the claims in the preliminary amendment, Applicants believe that the following

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